

Appendix A: Text of the Claims Involved in the Appeal

1-68 (Previously cancelled)

- 1 ~~68~~. (Previously added) An antibody or a fragment thereof, immobilized on a solid phase, that specifically binds cardiac troponin I, wherein said antibody is insensitive with respect to each form of cardiac troponin I selected from the group consisting of free cardiac troponin I, cardiac troponin I in a binary complex with troponin C, and cardiac troponin I in a ternary complex with troponin C and troponin T.
- 2 ~~70~~. (Previously added) An antibody, or fragment thereof, conjugated to a signal generating element, that specifically binds cardiac troponin I, wherein said antibody is insensitive with respect to each form of cardiac troponin I selected from the group consisting of free cardiac troponin I, cardiac troponin I in a binary complex with troponin C, and cardiac troponin I in a ternary complex with troponin C and troponin T.
- 3 ~~71~~. (Previously added) A method of selecting antibodies for an immunoassay for cardiac troponin I, the method comprising:

selecting two or more antibodies that, when used in said immunoassay, provide an assay response that is insensitive with respect to each form of cardiac troponin I selected from the group consisting of free cardiac troponin I, cardiac troponin I in a binary complex with troponin C, and cardiac troponin I in a ternary complex with troponin C and troponin T.
- 4 ~~72~~. (Previously added) A method according to claim ~~71~~³, wherein said two or more antibodies are independently selected from the group consisting of monoclonal antibodies, recombinant antibodies and polyclonal antibodies.
- 5 ~~73~~. (Previously added) A method according to claim ~~71~~³, wherein said at least two antibodies are selected to provide a signal that is within about 20% for equimolar amounts of each said form of cardiac troponin I.
- 6 ~~74~~. (Previously added) A method according to claim ~~71~~³, wherein said method comprises selecting two antibodies, each of which is insensitive with respect to each form of cardiac

troponin I selected from the group consisting of free cardiac troponin I, cardiac troponin I in a binary complex with troponin C, and cardiac troponin I in a ternary complex with troponin C and T.

75-78 (Previously cancelled)

77 ~~79~~. (Previously added) A composition comprising:

one or more antibodies, or fragments thereof, immobilized on a solid phase, wherein each form of cardiac troponin I selected from the group consisting of free cardiac troponin I, cardiac troponin I in a binary complex with troponin C, and cardiac troponin I in a ternary complex with troponin C and troponin T binds to one or more of said antibodies.

8 ~~80~~. (Previously added) A composition comprising:

one or more antibodies, or fragments thereof, conjugated to a signal generating element, wherein each form of cardiac troponin I selected from the group consisting of free cardiac troponin I, cardiac troponin I in a binary complex with troponin C, and cardiac troponin I in a ternary complex with troponin C and troponin T binds to one or more of said antibodies.

12 ~~81~~. (Previously added) A method of selecting antibodies to cardiac troponin I, said method comprising:

selecting one or more antibodies, wherein each form of cardiac troponin I selected from the group consisting of free cardiac troponin I, cardiac troponin I in a binary complex with troponin C, and cardiac troponin I in a ternary complex with troponin C and troponin T binds to one or more of said antibodies.

9 ~~82~~. (Previously added) The composition of claim ~~79~~ ⁷ or ~~80~~ ⁸, wherein said antibodies are selected from the group consisting of monoclonal antibody, recombinant antibody and polyclonal antibody.

13 ~~83~~. (Previously added) The method of claim ~~81~~ ¹², wherein said antibodies are selected from the group consisting of monoclonal antibody, recombinant antibody and polyclonal antibody.

- 10 ~~84.~~ (Previously added) The composition of claim ~~79~~⁷ or ~~80~~⁸, wherein said antibodies are a pool of two or more antibodies.
- 14 ~~85.~~ (Previously added) The method of claim ~~81~~¹², wherein said antibodies are a pool of two or more antibodies.
- 11 ~~86.~~ (Previously added) The composition of claim ~~79~~⁷ or ~~80~~⁸, wherein said antibodies are unable to distinguish between said forms of cardiac troponin I.
- 15 ~~87.~~ (Previously added) The method of claim ~~81~~¹², wherein said antibodies are unable to distinguish between said forms of cardiac troponin I.
- 16 ~~88.~~ (Previously added) A composition comprising:
one or more first antibodies, or fragments thereof, immobilized on a solid phase, wherein each form of cardiac troponin I selected from the group consisting of free cardiac troponin I, cardiac troponin I in a binary complex with troponin C, and cardiac troponin I in a ternary complex with troponin C and troponin T binds to one or more of said first antibodies; and
one or more second antibodies, or fragments thereof, conjugated to a signal generating element, wherein each form of cardiac troponin I selected from the group consisting of free cardiac troponin I, cardiac troponin I in a binary complex with troponin C, and cardiac troponin I in a ternary complex with troponin C and troponin T binds to one or more of said second antibodies.
- 17 ~~89.~~ (Previously added) The composition of claim ~~88~~¹⁶, wherein said first and second antibodies are independently selected from the group consisting of monoclonal antibody, recombinant antibody and polyclonal antibody.
- 18 ~~90.~~ (Previously added) The composition of claim ~~88~~¹⁶, wherein said first and second antibodies are a pool of two or more antibodies.
- 19 ~~91.~~ (Previously added) A method of selecting antibodies for a sandwich immunoassay, the method comprising:

selecting one or more first antibodies and one or more second antibodies, wherein each form of cardiac troponin I selected from the group consisting of free cardiac troponin I, cardiac troponin I in a binary complex with troponin C, and cardiac troponin I in a ternary complex with troponin C and troponin T binds to one or more of said first and second antibodies.

¹⁹
~~20~~ ~~92~~. (Previously added) The method of claim ~~91~~ wherein said first and second antibodies are independently selected from the group consisting of monoclonal antibody, recombinant antibody and polyclonal antibody.

¹⁹
~~21~~ ~~92~~. (Previously added) The method of claim ~~91~~, wherein said first and second antibodies are a pool of two or more antibodies.